

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE: PHARMACEUTICAL INDUSTRY)
AVERAGE WHOLESALE PRICE) MDL NO. 1456
LITIGATION)
CIVIL ACTION: 01-CV-12257-PBS
THIS DOCUMENT RELATES TO:) Judge Patti B. Saris
ALL CLASS ACTIONS)

AFFIDAVIT OF THOMAS M. SOBOL

I, Thomas M. Sobol, depose and say as follows:

1. I am a member of the Bar of the Supreme Judicial Court of the Commonwealth of Massachusetts and a member of the United States District Court for District of Massachusetts. I am a partner at the law firm of Hagens Berman LLP. I am liaison counsel and co-lead counsel for the plaintiffs in the above-captioned action. I submit this Affidavit in connection with the Plaintiffs' Opposition to Defendants' Motions to Dismiss the Master Consolidated Class Action Complaint, Defendant B. Braun Medical Inc.'s Motion to Dismiss the Master Consolidated Class Action Complaint, and Defendant Bristol Myer Squibb's Motion to Dismiss.

2. Attached hereto as Exhibits 1 through 26 are true copies of the following documents as referenced in Plaintiffs' Consolidated Memorandum in Opposition to Defendants' Motions to Dismiss:

EXHIBIT NO. **DOCUMENTS**

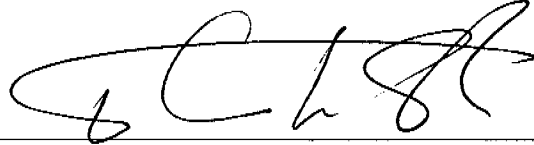
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| 1 | Summary Showing Factual Issues Behind Defendants' Characterization of 54 Exhibits; |
| 2 | Report and Recommendation in <i>Minnesota v. Pharmacia Corp.</i> , C.A. No. 02-1779 (D. Minn.), Sept. 27, 2002); |

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- 3 Affidavit of Julie Ryberg, Formula Corporation, Third-Party
Administrator For Plaintiffs Twin Cities Bakery Workers Health &
Welfare Fund;
- 4 Affidavit of Daniel Ryam, Fund Administrator of Plaintiff United Food
and Commercial Workers Unions and Employers Midwest Health
Benefits Fund;
- 5 Affidavit of William A. Rhodes, Jr., Administrator of Plaintiff Carpenters
and Millwrights of Houston and Vicinity Welfare Trust Fund;
- 6 Declaration of Plaintiff Citizens for Consumer Justice;
- 7 Declaration of Plaintiff Citizen Action of New York;
- 8 Declaration of Plaintiff Colorado Progressive Coalition;
- 9 Declaration of Plaintiff Connecticut Citizen Action Group;
- 10 Declaration of Plaintiff Florida Alliance for Retired Americans;
- 11 Declaration of Plaintiff Gray Panthers of Sacramento;
- 12 Declaration of Plaintiff Health Care for All, Inc.;
- 13 Declaration of Plaintiff Maine Consumers for Affordable Heath Care;
- 14 Declaration of Plaintiff Massachusetts Senior Action Council;
- 15 Declaration of Plaintiff MASSPIRG;
- 16 Declaration of Plaintiff Minnesota Senior Federation;
- 17 Declaration of Plaintiff New Jersey Citizen Action;
- 18 Declaration of Plaintiff New York StateWide Senior Action Council;
- 19 Declaration of Plaintiff Oregon Health Action Campaign;
- 20 Declaration of Plaintiff Oregon State Public Interest Research Group;
- 21 Declaration of Plaintiff Pennsylvania Alliance for Retired Americans;
- 22 Declaration of Plaintiff United Senior Action of Indiana, Inc.;

- 24 Declaration of Plaintiff West Virginia Citizen Action;
- 25 Declaration of Plaintiff Wisconsin Citizen Action; and
- 26 Declaration of Plaintiff Action Alliance of Senior Citizens of Greater Philadelphia.

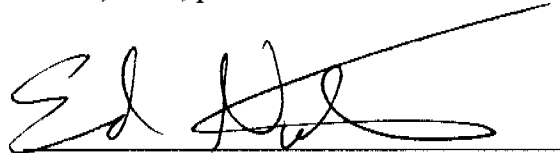
3. The foregoing representation is made under the pains and penalties of perjury on this 5th day of December, 2002.

A handwritten signature in black ink, appearing to read 'T. M. Sobol', is written over a horizontal line.

Thomas M. Sobol

CERTIFICATE OF SERVICE

I hereby certify that I, Edward Notargiacomo, an attorney, caused a true and correct copy of the foregoing Affidavit of Thomas M. Sobol to be served on all counsel of record electronically on December 5, 2002, pursuant to Section D of Case Management Order No. 2.

A handwritten signature in black ink, appearing to read 'Ed Notargiacomo', is written over a horizontal line.

Edward Notargiacomo, Esq.

HAGENS BERMAN LLP

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